

BOARD OF APPEALS AND ADVISORS

Meeting Date: 04/14/08

Subject: An Ordinance Designating Very High Fire Hazard Severity Zones as Recommended by the Director of Forestry and Fire Protection

Submitted By: Assistant Director of Planning and Building/Building Official
Fire Chief

Pursuant to Government Code Section 51179, the City must designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the Director of Forestry and Fire Protection. The City received the Director's recommendations, a map identifying very high fire hazard severity zones within Chula Vista. This ordinance designates these zones as required by State law.

RECOMMENDATION: Recommend to City Council the adoption of the ordinance.

DISCUSSION: The Oakland Hills fire in 1991 prompted the 1992 "Bates Bill", Assembly Bill 337 (Government Code 51175 - 51189). It instructed the Director of Forestry and Fire Protection (DFFP) to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials are able to take measures that will reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property. Pursuant to Government Code (GC) Section 51179, within 120 days from receiving the recommendations, local jurisdictions must designate, by ordinance, very high fire hazard severity zones (VHFHSZ) in its jurisdiction.

Exhibit A, the Very High Fire Hazard Severity Zones (VHFHSZ) map, dated April 3, 2008, identifies these zones in the City as recommended by the DFFP. The recommendations are a result of a model that took into account factors such as fire history, existing and potential fuel, flame length, blowing embers, terrain, weather and the likelihood of buildings igniting. There are approximately 3300 parcels that are located fully or partially in a VHFHSZ.

Reducing wildfire threat is a two-part approach; 1) Reduce flammable material around homes to keep direct flames and heat away from the side of buildings and, 2) construct buildings so that they have less chance of catching fire from burning embers. GC 51182 addressed the first approach by requiring any person who owns, leases, controls, operates, or maintains an occupied structure in a VHFHSZ to maintain the property as follows:

1. Provide a 100 foot defensible space; clear 30 feet around structures or to the property line, whichever is nearer, and do fuel modification to the remaining 70 feet, or to the property line, whichever is nearer.
2. Keep the roof of structures free of leaves, needles or other dead vegetative growth.
3. Trim tree branches so that they are at least 10 feet away from chimneys or stovepipes, and maintain trees adjacent to or overhanging any structure free of dead or dying wood.
4. Upon sale or transfer of the property, disclose to a prospective buyer or transferee the fact that the property is located within a VHFHSZ and is subject to the requirements imposed on structures in the VHFHSZ.

These requirements do not apply to areas of land or water acquired or managed for any of the following purposes:

1. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened by the State or Federal government.
2. Land kept as natural habitat for wildlife, plants or animals.
3. Open space lands that are environmentally sensitive parklands
4. Lands having scenic values, as declared by the local agency or by state or federal law.

As for the second part of the approach, recent State legislation directed the State Fire Marshal (SFM), with the help of the DFFP and the Director of Housing and Community Development (DHCD), to develop fire protection building standards for roofs, exterior walls, structure projections, and structure openings of buildings located within areas designated to be at a significant risk from wildfires. The Building Standards Commission (BSC) adopted these standards as Chapter 7A of the 2007 California Building Code (2007 CBC). Local enforcement of Chapter 7A takes effect July 1, 2008. New buildings located in VHFHSZ for which an application for a building permit is submitted on or after July 1, 2008, must comply with Chapter 7A.

Chapter 7A requires the use of approved building products and construction methods, the use of exterior wildfire exposure protection materials and construction methods for exterior siding, windows, eave vents, exterior doors and decks, and the enclosure of all under-floor areas and the underside of decks to within six inches of the ground. The ignition-resistant standards in Chapter 7A are intended to protect buildings from being ignited by flying embers which can travel as much as a mile away from the wildfire.

Attachments:

1. ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING VERY HIGH FIRE HAZARD SEVERITY ZONES AS RECOMMENDED BY THE DIRECTOR OF THE

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE
PROTECTION AS DESIGNATED ON MAPS MAINTAINED IN THE
OFFICE OF THE CITY CLERK

2. Exhibit A – Very High Fire Hazard Severity Zones [VHFHSZ] – Local
Responsibility Areas [LRA] map

ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF CHULA VISTA DESIGNATING VERY HIGH FIRE
HAZARD SEVERITY ZONES AS RECOMMENDED BY
THE DIRECTOR OF THE CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE
PROTECTION AS DESIGNATED ON MAPS
MAINTAINED IN THE OFFICE OF THE CITY CLERK.

WHEREAS, the California State Legislature has declared that the prevention of fires is a matter of statewide concern; and

WHEREAS, the State Legislature has directed the Director of the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas as very high fire hazard severity zones in all counties based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas; and

WHEREAS, the determination of an area as a very high fire hazard severity zone is based on fuel loading, slope, fire weather, and other relevant factors; and

WHEREAS, the purpose of the designation of areas as very high fire hazard severity zones is so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property; and

WHEREAS, the director of CAL FIRE has transmitted to the City those areas designated as very high fire hazard severity zones; and

WHEREAS, the City Council must designate, by ordinance, very high fire hazard severity zones as recommended by the director of CAL FIRE, pursuant to Government Code section 51179.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

SECTION I: It designates Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection and as designated on a map titled Very High Fire Hazard Severity Zones (VHFHSZ) Map, dated April 3, 2008, and filed with the Office of the City Clerk.

SECTION II: This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by

Approved as to form by

Brad Remp
Building Official

Ann Moore
City Attorney

Presented by

Jim Geering
Fire Chief